

# (Original, Design, National Stage of PCT, Divisional, Continuation or C-I-P Application)

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name; I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

### KDEL RECEPTOR INHIBITORS

This	declaration	ı is (	of the	following	type:
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	[X]	original
	[]	design
	[]	national stage of PCT.
	Ō	divisional
	[]	continuation
	[]	continuation-in-part (C-I-P)
the	spe	ification of which: (complete (a), (b), or (c))
(a)	ſ	s attached hereto.
		was filed on July 29, 1998 as Application Serial No. 09/124,671.
(c)		vas described and claimed in PCT International Application No. filed on and was amended on Gi
. 4. 4. 4. 4. 4. 4. 4. 4. 4. 4. 4. 4. 4.		Acknowledgement of Review of Papers and Duty of Candor hereby state that I have reviewed and understand the second of Candor
inclu	ıdir	hereby state that I have reviewed and understand the contents of the above identified specification, the claims, as amended by any amendment referred to above.
i ii ~a		acknowledge the duty to disclose information which is made in the state of the stat
elain	ned	acknowledge the duty to disclose information which is material to the patentability of the subject matter n this application in accordance with Title 37, Code of Federal Regulations § 1.56.
	[	In compliance with this duty there is attached an information disclosure statement 37 CER 1.08

#### **Priority Claim**

I hereby claim foreign priority benefits under Title 35, United States Code, § 119(a)-(d) of any foreign application(s) for patent or inventor's certificate or of any PCT International Application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT International Application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application on which priority is claimed

(complete (d) or (e))

- (d) [X] no such applications have been filed.
- (e) [] such applications have been filed as follows:

BAKER & BOTTS, L.L.P.

FII T NO.: A31488- 072734.0105

COUNTRY APPLI	CATION NO.	DATE OF FILING (day, month, year)	DATE OF ISSUE (day, month, year)	PRIORITY CLAIMED UNDER 35 USC 119
				[] YES NO []
				[] YES NO []
				[] YES NO []
LL FOREIGN APPLICATION(S	], IF ANY, FILED MORE THAN I	2 MONTHS (6 MONTHS FOR DESIGN) PRICE	OR TO SAID APPLICATION	
<del></del>				[] YES NO []
<del></del>				[] YES NO []
				[] YES NO []

Claim for Benefit of Prior U.S. Provisional Application(s)

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below:

Provisional Application Number	Filing Date
	Timig Date

## Claim for Benefit of Earlier U.S./PCT Application(s) under 35 U.S.C. 120

(complete this part only if this is a divisional, continuation or C-I-P application)

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) or PCT international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior application(s) in the manner provided by the first paragraph of Title 35, United States Code § 112, I acknowledge the duty to disclose information as defined in Title 37, Code of Federal Regulations, § 1.56 which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application:

(Application Serial No.)	(Filing Date)	(Status) (natural and in the interest
		(Status) (patented, pending, abandoned
(Application Serial No.)	(Filing Date)	(Status) (patented, pending, abandoned)

As-a named inventor, I hereby appoint Dana M. Raymond, Reg. No. 18,540; Frederick C. Carver, Reg. No. 17,021; Francis J. Hone, Reg. No. 18,662; Joseph D. Garon, Reg. No. 20,420; Arthur S. Tenser, Reg. No. 18,839; Ronald B. Hildreth, Reg. No. 19,498; Thomas R. Nesbitt, Jr., Reg. No. 22,075; Robert Neuner, Reg. No. 24,316; Richard G. Berkley, Reg. No. 25,465; Richard S. Clark, Reg. No. 26,154; Bradley B. Geist, Reg. No. 27,551; James J. Maune, Reg. No. 26,946; John D. Murnane, Reg. No. 29,836, Henry Tang, Reg. No. 29,705, Robert C. Scheinfeld, Reg. No. 31,300, John A. Fogarty, Jr., Reg. No. 22,348, Louis S. Sorell, Reg. No. 32,439 and Rochelle K. Seide Reg. No. 32,300 of the firm of BAKER & BOTTS, L.L.P., with offices at 30 Rockefeller Plaza, New York, New York 10112, as attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith

SEND CORRESPONDENCE TO:

BAKER & BOTTS, L.L.P.

30 ROCKEFELLER PLAZA, NEW YORK, N.Y. 10112

CUSTOMER NUMBER: 21003

DIRECT TELEPHONE CALLS TO: BAKER & BOTTS, L.L.P. (212) 705-5000

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section

NY02:162047.1

BAKER & BOTTS, L.L.P.

FIL<sup>r</sup> NO.: A31488- 072734.0105 1001 of Title 18 of the United State Code and that such willful false state s may jeopardize the validity of the application or any patent issued

FULL NAME OF SOLE OR FIRST INVENTOR	LAST NAME	FIRST NAME MIDDLE NAM		
	Rothman	James	E.	
RESIDENCE & CITIZENSH	New York	STATE of FOREIGN COUNTRY New York	COUNTRY OF CITIZ	ENSHIP
POST OFFICE ADDRESS	POST OFFICE ADDRESS 402 East 64th Street, Apt. 10B	New York	STATE of COUNTRY New York	ZIP CODE 10021
DATE / 16/58	SIGNATURE OF INVENTOR	_ <del></del>		L
FULL NAME OF SECOND JOINT INVENTOR, IF ANY	LAST NAME May new	FIRST NAME MIDDLE NAME Mark		
RESIDENCE & CITIZENSHII	CITY Tarrytown	STATE of FOREIGN COUNTRY New York	COUNTRY OF CITIZI	ENSHIP
POST OFFICE ADDRESS	POST OFFICE ADDRESS 414 Benedict Avenue, Apt. 3E	СПҮ	STATE or COUNTRY	ZIP CODE
DATE	SIGNATURE OF INVENTOR	Tarrytown	New York	10591
ULL NAME OF THIRD OINT INVENTOR, IF ANY	LAST NAME Hoe	FIRST NAME Mee	MIDDLE NAME H.	
ESIDENCE & CITIZENSHIP	CITY Irvington	STATE or FOREIGN COUNTRY New York	COUNTRY OF CITIZE Malaysia	NSHIP
OST OFFICE DDRESS	POST OFFICE ADDRESS 10 south Cottenet Street, 2S	CITY Irvington	STATE or COUNTRY New York	ZIP CODE
ATE	SIGNATURE OF INVENTOR		14CW TOIK	110555
JLL NAME OF FOURTH DINT INVENTOR, IF ANY	LAST NAME	FIRST NAME	MIDDLE NAME	
ESIDENCE & CITIZENSHIP	СІТУ	STATE or FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP	
OST OFFICE DDRESS	POST OFFICE ADDRESS	СПУ	STATE or COUNTRY	ZIP CODE
ATE	SIGNATURE OF INVENTOR			
LL NAME OF FIFTH INT INVENTOR, IF ANY	LAST NAME	FIRST NAME	MIDDLE NAME	
SIDENCE & CITIZENSHIP	CITY	STATE or FOREIGN COUNTRY	TE or FOREIGN COUNTRY COUNTRY OF CITIZENSHIP	
ST OFFICE DRESS	POST OFFICE ADDRESS	СІТУ	STATE or COUNTRY	ZIP CODE
TE	SIGNATURE OF INVENTOR			
LL NAME OF SIXTH NT INVENTOR, IF ANY	LAST NAME	FIRST NAME	MIDDLE NAME	
SIDENCE & CITIZENSHIP	СІТҮ	STATE or FOREIGN COUNTRY	COUNTRY OF CITIZENS	БНІР
T OFFICE DRESS	POST OFFICE ADDRESS	СІТУ	STATE or COUNTRY	ZIP CODE
ГЕ	SIGNATURE OF INVENTOR	<u></u>	1	ł

BAKER & BOTTS, LLP.

FII ~ NO.: A31488- 072734.0105 FULL NAME OF SEVENTH LAST NAME FIRST NAME MIDDLE NAME JOINT INVENTOR, IF ANY RESIDENCE & CITIZENSHIP STATE or FOREIGN COUNTRY COUNTRY OF CITIZENSHIP POST OFFICE POST OFFICE ADDRESS CITY STATE or COUNTRY ADDRESS' ZIP CODE DATE

Check proper box(es) for any added page(s) forming a part of this declaration

[] Signature for ninth and subsequent joint inventors. Number of pages added \_\_\_\_\_\_.

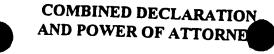
[] Signature by administrator(trix), executor(trix) or legal representative for deceased or incapacitated inventor. Number of pages added \_\_\_\_\_.

[] Signature for inventor who refuses to sign, or cannot be reached, by person authorized under 37 CFR 1.47. Number of pages added \_\_\_\_\_.

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-4-



# (Original, Design, National Stage of PCT, Divisional, Continuation or C-I-P Application)

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name; I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

## KDEL RECEPTOR INHIBITORS

This de	claration	is	of	the	follov	ving	type:
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;; (0 (0 (0 (0	design national stage of PCT. divisional continuation continuation-in-part (C-I-P)
(a) [] (b) [X	exification of which: (complete (a), (b), or (c)) is attached hereto. ] was filed on July 29, 1998 as Application Serial No. 09/124,671. was described and claimed in PCT International Application No. filed on and was amended on (i)
(ñ claimed	Acknowledgement of Review of Papers and Duty of Candor  I hereby state that I have reviewed and understand the contents of the above identified specification, age the claims, as amended by any amendment referred to above.  I acknowledge the duty to disclose information which is material to the patentability of the subject matter in this application in accordance with Title 37, Code of Federal Regulations § 1.56.  In compliance with this duty there is attached an information disclosure statement. 37 CFR 1.98.

#### **Priority Claim**

I hereby claim foreign priority benefits under Title 35, United States Code, § 119(a)-(d) of any foreign application(s) for patent or inventor's certificate or of any PCT International Application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT International Application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application on which priority is claimed

(complete (d) or (e))

- (d) [X] no such applications have been filed.
- (e) [] such applications have been filed as follows:

COUNTRY APPLICATION NO.	DATE OF FILING (day, month, year)	DATE OF ISSUE (day, month, year)	PRIORITY CLAIMED UNDER 35 USC 119 [] YES NO [] [] YES NO []
			<del></del>
			[] YES NO []
L FOREIGN APPLICATIONIS). IF ANY FILED MORE THAN 12.2	401		[] YES NO []
L FOREIGN APPLICATION(S), IF ANY, FILED MORE THAN 12 N	MUNTHS (6 MONTHS FOR DESIGN) PRICE	OR TO SAID APPLICATION	
·			[] YES NO []
			[] YES NO []
			[] YES NO []

Claim for Benefit of Prior U.S. Provisional Application(s)

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below:

Provisional Application Number	
, , , , , , , , , , , , , , , , , , , ,	Filing Date

# Claim for Benefit of Earlier U.S./PCT Application(s) under 35 U.S.C. 120

(complete this part only if this is a divisional, continuation or C-I-P application)

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) or PCT international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior application(s) in the manner provided by the first paragraph of Title 35, United States Code § 112, I acknowledge the duty to disclose information as defined in Title 37, Code of Federal Regulations, § 1.56 which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application:

(Application Serial No.)	(Filing Date)	(Status) (patented, pending, abandoned)
(Application Serial No.)	(Filing Date) Power of Attorney	(Status) (patented, pending, abandoned)

As a named inventor, I hereby appoint Dana M. Raymond, Reg. No. 18,540; Frederick C. Carver, Reg. No. 17,021; Francis J. Hone, Reg. No. 18,662; Joseph D. Garon, Reg. No. 20,420; Arthur S. Tenser, Reg. No. 18,839; Ronald B. Hildreth, Reg. No. 19,498; Thomas R. Nesbitt, Jr., Reg. No. 22,075; Robert Neuner, Reg. No. 24,316; Richard G. Berkley, Reg. No. 25,465; Richard S. Clark, Reg. No. 26,154; Bradley B. Geist, Reg. No. 27,551; James J. Maune, Reg. No. 26,946; John D. Murnane, Reg. No. 29,836, Henry Tang, Reg. No. 29,705, Robert C. Scheinfeld, Reg. No. 31,300, John A. Fogarty, Jr., Reg. No. 22,348, Louis S. Sorell, Reg. No. 32,439 and Rochelle K. Seide Reg. No. 32,300 of the firm of BAKER & BOTTS, L.L.P., with offices at 30 Rockefeller Plaza, New York, New York 10112, as attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith

SEND CORRESPONDENCE TO: BAKER & BOTTS, L.L.P. 30 ROCKEFELLER PLAZA, NEW YORK, N.Y. 10112

BAKER & BOTTS, L.L.P.

DIRECT TELEPHONE CALLS TO:

**CUSTOMER NUMBER: 21003** 

(212) 705-5000

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section

NY02:162047.1

1001 of Title 18 of the United States Code and that such willful false states 's may jeopardize the validity of the application or any patent issued eon.

FULL NAME OF SOLE	LAST NAME			
OR FIRST INVENTOR		FIRST NAME	MIDDLE NAME	
	Rothman	James	E.	
RESIDENCE & CITIZET		STATE or FOREIGN COUNTE		
	New York	New York	1	TIZENSHIP
POST OFFICE	POST OFFICE ADDRESS	CITY	US	
ADDRESS	402 East 64th Street, Apt. 101	1	STATE or COUNT	RY ZIP COI
	of an Street, Apr. 101	B New York	New York	1002
D		1		
DATE	SIGNATURE OF INVENTOR			
FULL NAME OF SECONI JOINT INVENTOR, IF AN		FIRST NAME	Ivanor a	
<b></b>	Maynew	Mark	MIDDLE NAME	
RESIDENCE & CITIZENS	HIP CITY			
	Tarrytown	STATE or FOREIGN COUNTRY	COUNTRY OF CITI	ZENSHIP
POST OFFICE	POST OFFICE ADDRESS	New York	Great Britain	1
ADDRESS		CITY	STATE or COUNTR	Y ZIP CODE
DATE	414 Benedict Avenue, Apt. 3E	Tarrytown	New York	10591
E8/28/98	SIGNATURE OF INVENTOR		1.0. 10.R	110371
	I carry Mark	کس)		
FULL NAME OF THIRD JOINT INVENTOR, IF ANY	LAST NAME	FIRST NAME		
	Inoe	Mee	MIDDLE NAME	
RESIDENCE & CITIZENSH	IP CITY		Н.	
11 EF	Irvington	STATE or FOREIGN COUNTRY	COUNTRY OF CITIZ	ENSHIP
POST OFFICE	POST OFFICE ADDRESS	New York	Malaysia	
ÀDDRESS .		CITY	STATE of COUNTRY	ZIP CODE
DĀTE	10 south Cottenet Street, 2S SIGNATURE OF INVENTOR	Irvington	New York	10533
ULL NAME OF FOURTH	LAST NAME	FIRST NAME		
OINT INVENTOR, IF ANY	1	FIRST NAME	MIDDLE NAME	
ESIDENCE & CITIZENSHII	CITY			
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ILL NAME OF FIFTH INT INVENTOR, IF ANY	LAST NAME	FIRST NAME		
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SIDENCE & CITIZENSHIP	CITY	STATE GOODS		
		STATE or FOREIGN COUNTRY	COUNTRY OF CITIZEN	SHIP
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DRESS	TOTAL ADDRESS	CITY	STATE or COUNTRY	ZIP CODE
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	SIGNATURE OF INVENTOR			<u> </u>
LL NAME OF SIXTH NT INVENTOR, IF ANY	LAST NAME	FIRST NAME	Agant Balling	
			MIDDLE NAME	
IDENCE & CITIZENSHIP	CITY	STATE SOCIETY	<u> </u>	
		STATE or FOREIGN COUNTRY	COUNTRY OF CITIZENS	НІР
T OFFICE	POST OFFICE ADDRESS		1	
		CITY	STATE or COUNTRY	ZIP CODE
DRESS	SIGNATURE OF INVENTOR			

		FIL: O:: A31488- 072734.0105		
FULL NAME OF SEVENTH JOINT INVENTOR, IF ANY	LAST NAME	FIRST NAME	MIDDLE NAME  COUNTRY OF CITIZENSHIP	
RESIDENCE & CITIZENSHIP	CITY ,	STATE or FOREIGN CO. RY		
POST OFFICE ADDRESS'	POST OFFICE ADDRESS	CITY	STATE or COUNTRY	ZIP CODE
DATE	SIGNATURE OF INVENTOR		1	1
] Signature for ninth an ] Signature by administ Number of pages adde	rator(trix), executor(trix) or legal rep	led page(s) forming a part of this deer of pages added  resentative for deceased or incapace		
	who refuses to sign, or cannot be rea	ached, by person authorized under	37 CFR 1.47.	

that had not then to the first that he had been also that had been the first that